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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,174	12/31/2003	Nicholas W. Oakley	42.P18067	3400
7590 07/26/2005			EXAMINER	
JOHN P. WARD BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1026			WRIGHT, INGRID D	
			ART UNIT	PAPER NUMBER
			2835	
DATE MAILED: 07/26/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/751,174	<b>Applicant(s)</b> OAKLEY, NICHOLAS W.	
	<b>Examiner</b> Ingrid Wright	<b>Art Unit</b> 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Objections***

### ***Oath/Declaration***

1. The Oath is objected to because it does contain the original signature or date of signature of the applicant.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Claims 1-5,7-11,14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by kung et al. (US PN 6384811 B1).

With respect to claim 1, Kung et al. teaches (Fig.6) a portable computer (not labeled) comprising a base (3), a lid (2), a first link (40) hinged to the base (3) about a first axis, and hinged to the lid (2) about a second axis; and a second link (42) hinged to the base (3) about a third axis, and hinged to the lid (2) about a fourth axis (Column 3, Lines 65-67 & Column 4, Lines 1-8).

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With respect to claim 2, Kung et al. teaches (Fig. 7) the first (40) and second link (42) situated to position an edge of the display (2) a distance from a first edge of the base (3) towards a second opposite edge of the base, when the lid (2) is in an unfolded position (Column 3, Lines 65-67 & Column 4, Lines 1-20).

With respect to claim 3, Kung et al. teaches (Fig. 6) the first link (40) is pivotally coupled to the first edge of the base (3), and the second link (42) is pivotally coupled to the base (3) between the first link (40) and the second edge of the base (3) (Column 3, Lines 65-67 & Column 4, Lines 1-20).

With respect to claim 4, Kung et al. teaches (Fig. 7) in the unfolded position, a distance between the first link (40) pivotally coupled to the base (3) and second link (42) pivotally coupled to the base (3), is less than a distance between the bottom of the lid (2) and the first edge of the base (3).

With respect to claim 5, 11 & 16, Kung et al. teaches (Fig. 6) the apparatus is mobile computer system (not labeled).

With respect to claim 7, Kung et al. teaches (Fig. 7) a portable computer (not labeled) comprising a base (3); a Lid (2); a first link (40) pivotally coupled to the base (3) and pivotally coupled to the lid (2); and a second link (42) pivotally coupled the base (3) and pivotally coupled to the lid (2), the first and second link (40,42) positioned to

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position an edge of the display (2) a distance from a first edge of the base (3) towards a second opposite edge of the base (3), when the lid (2) is in an unfolded position.

With respect to claim 8, Kung et al. teaches (Fig. ) the first link (40) has a length greater than the second link (42).

With respect to claim 9, Kung et al. teaches (Fig. 7) the first link (40) is pivotally coupled to first edge of the base (3), and the second link (42) is situated between the first link (40) and the second edge of the base (3).

With respect to claim 10, Kung et al. teaches (Fig. 7) in the unfolded position, a distance between the first link (40) pivotally coupled to the base (3) and second link (42) pivotally coupled to the base (3), is less than a distance between the bottom of the lid and the first edge of the base.

With respect to claim 11, Kung et al. teaches (Fig. 6) the apparatus is mobile computer system (not labeled).

With respect to claim 14, Kung et al. teaches (Fig. ) a portable computer (not labeled) comprising a base (3); a lid (2); a first link (40) pivotally coupled to a first edge of the base (3) and pivotally coupled to lid (2), a first distance from an edge of the lid

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(2); and a second link (40) pivotally coupled to the base (3), a second distance from the first link (40), and pivotally coupled to an edge of the lid (2).

With respect to claim 15, Kung et al. teaches (Fig. 7) the first link (40) and second link (42) are coupled to the base (3) and lid (2), to position the edge of the lid (2) a third distance from the first edge of the base (3) towards a second opposite edge of the base (3), when the lid (2) is in an unfolded position.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 12, 13, & 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kung et al. (US PN 6384811 B1) in view of Landry et al (US PN 6654234 B2).

With respect to claim 6, Kung et al. teaches (Fig. 6) the first and second links (40, 42) are pivotally coupled to a member section (124) of the base (3), the member section pivotally coupled to the base (3).

Kung et al. does not teach a member section of the base (3), the member section pivotally coupled to the base (3).

Landry et al. teaches (Fig. 5) a computing device (10) comprising a member section (124) of a base (74), the member section pivotally coupled to a base (74) (Column 4, Lines 59-67 & Column 5, Lines 1-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the pivotal member as taught by Landry et al. on the base of Kung et al., in order to provide a more pivotal rotation about any desired height and angle desired by the user (Column 5, Lines 19-21 of Landry et al.).

With respect to claim 12 & 17, Kung et al. teaches (Fig. 6) first and second links (40,42).

Kung et al. does not teach the first and second links are pivotally coupled to a member section of the base.

Landry et al. teaches (Fig. 5) the member section (124) pivotally coupled to a base (74)

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the pivotal member as taught by Landry et al. on the base with coupled links of Kung et al., in order to provide a more pivotal rotation about any desired height and angle desired by the user (Column 5, Lines 19-21 of Landry et al.).

With respect to claim 13, Landry et al. teaches (Fig. 5) the member section (124) pivotally coupled to a base (74).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Hawkins et al. (US PN 5200913), Chang (US PN 6826043 B2), Chu et al. (US PN 5818360), Margaritis (US PN 6198624 B1), Duarte (US PN 6636419 B2), Riddiford (US PN 6870730 B2), Osgood (US PN 6233138 B1), Agata et al. (US 2001/0055197 A1), Motoyama et al. (US PN 5383138), Lam et al. (US PN 6505382 B1), Howard, Jr. (US PN 6109434), Ma (US PN 5255214), Cipolla (US PN 5946187) & Yen (US PN 6008983) show the general state of the art regarding foldable portable computers with hinge or link configurations.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Wright whose telephone number is (571) 272-8392. The examiner can normally be reached on M-F.



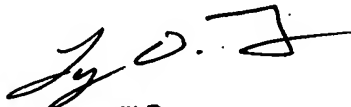
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7/22/05

IDW

  
LYNN FEILD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800